

AMENDMENT  
TO  
REPORT AND DECISION  
ON  
APPLICATION  
OF

THE NORTHERN ASSURANCE COMPANY OF AMERICA ET AL

The report and decision of this Authority adopted July 9, 1969, is hereby amended in the following respects:

1. The business addresses and corporate names of the Applicants as set forth in paragraph 2 of the original Application are hereby amended to read as follows:

<u>Applicant</u>	<u>Address</u>
The Northern Assurance Company of America	110 Milk Street Boston, Massachusetts
The Employers' Fire Insurance Company	110 Milk Street Boston, Massachusetts
American Employers' Insurance Company	110 Milk Street Boston, Massachusetts
Employers Commercial Union In- surance Company of America	110 Milk Street Boston, Massachusetts

All of the above-named corporations are subject to service of process in The Commonwealth of Massachusetts and are licensed to do business in The Commonwealth of Massachusetts.

2. The date "October 1, 1969" set forth in paragraph 20 of the original Application is hereby amended to the date "October 1, 1971".

3. The list of persons set forth in paragraph 21 is hereby amended to read as follows:

"The Northern Assurance Company of America  
The Employers' Fire Insurance Company

American Employers' Insurance Company  
Employers Commercial Union Insurance  
Company of America".

4. Exhibit A annexed to the original Application is hereby amended to read as follows in order to reflect the discontinuance of Pemberton Square as a public way:

"The Project Area is located in the City of Boston, County of Suffolk, The Commonwealth of Massachusetts, and is bounded and described as follows:

SOUTHEASTERLY by Tremont Street an aggregate distance of 265.74 feet more or less;

SOUTHWESTERLY by Beacon Street an aggregate distance of 271.80 feet more or less;

WESTERLY by Somerset Street an aggregate distance of 175 feet more or less;

NORTHERLY by the southerly sideline of the Suffolk County Court House an aggregate distance of 195 feet more or less;

EASTERLY by the easterly sideline of said Court House 14 feet more or less; and

NORTHLIERLY by the face of the foundation wall of the building known as 3 Center Plaza and its garage, and said face line extended an aggregate distance of 195 feet more or less;

being premises shown on a plan drawn by Harry R. Feldman, Inc. dated April 18, 1969, entitled "Topographic Plan of Land, Boston, Massachusetts - Plan of Proposed Street Widening - One Beacon Street".

5. The Authority hereby grants permission for the project to deviate from the Boston Zoning Code as follows:

1. Permit rear yard to be less than the requirements set forth in Article 20, which requirements specify a rear yard of 15½ feet along the property line adjacent to the Suffolk County Courthouse whereas at one point no such rear yard is provided.

2. Permit the parapet set back to be less than required by Article 21, in that said Article requires a 36½ feet parapet setback along Beacon Street and a 55 feet setback along the property line adjacent to the Cuffolk County Courthouse and the parapet setback proposed is insufficient.

The Authority hereby finds that the permissions for the project to deviate from the Boston Zoning Code above set forth may be granted without substantially derogating from the intent and purposes of such Code.

The Authority hereby finds that the Application as amended and the Project conform to and comply with each and every applicable requirement of Chapter 121A of the General Laws (Ter. Ed.) as amended, Chapter 652 of the Acts of 1960, as amended, and

applicable rules and regulations of the Authority; and the Authority, for these reasons and for the reasons set forth in the Application, as amended, and supporting documents and in this Amendment to the Report and Decision and in the materials referred to in the Report and Decision, hereby approves the Application as amended and the Project.

AMENDMENT NO. 1  
APPLICATION FOR AUTHORIZATION AND APPROVAL OF  
A PROJECT UNDER MASS. G.L. (TER. ED.) CHAPTER  
121A, AS AMENDED, AND CHAPTER 652 OF THE ACTS  
OF 1960

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The undersigned (the "Applicants") hereby amend their Application dated July 9, 1969, to the Boston Redevelopment Authority (the "Authority") pursuant to the provisions of Mass. G. L. (Ter. Ed.) Chapter 121A, as amended, the provisions of Chapter 652 of the Acts of 1960 and the rules and regulations issued by the Authority in the following respects:

1. The business addresses and corporate names of the Applicants (sometimes referred to as the "Group") have been amended as of midnight, December 31, 1969, when The Pennsylvania Insurance Company was merged into Commercial Union Insurance Company of America and the surviving company changed its name to Employers Commercial Union Insurance Company of America. As a result the business addresses and corporate names of the Applicants as set forth in Paragraph 2 of the original Application are hereby amended to read as follows:

<u>Applicant</u>	<u>Address</u>
The Northern Assurance Company of America	110 Milk Street Boston, Massachusetts
The Employers' Fire Insurance Company	110 Milk Street Boston, Massachusetts
American Employers' Insurance Company	110 Milk Street Boston, Massachusetts
Employers Commercial Union In- surance Company of America	110 Milk Street Boston, Massachusetts

All of the above-named corporations are subject to service of process in The Commonwealth of Massachusetts and are licensed to do business in The Commonwealth of Massachusetts.

2. A new Exhibit C is hereby attached to the Application and paragraph 15 of the original Application is hereby amended to read as follows:

"The only deviations required by the Project from the zoning, building, health and fire laws, codes, ordinances and regulations in effect in the City of Boston are set forth in Exhibit C attached and the Applicants hereby request the Authority to grant all such permissions.".

3. The date "October 1, 1969" set forth in Paragraph 20 of the original Application is hereby amended to the date "October 1, 1971".

4. The list of persons set forth in paragraph 21 is hereby amended to read as follows:

"The Northern Assurance Company of America  
The Employers' Fire Insurance Company  
American Employers' Insurance Company  
Employers Commercial Union Insurance  
Company of America".

5. Exhibit A annexed to the original Application is hereby amended to read as follows in order to reflect the discontinuance of Pemberton Square as a public way:

"The Project Area is located in the City of Boston, County of Suffolk, The Commonwealth of Massachusetts, and is bounded and described as follows:

SOUTHEASTERLY by Tremont Street an aggregate distance of 265.74 feet more or less;  
SOUTHWESTERLY by Beacon Street an aggregate distance of 271.80 feet more or less;  
WESTERLY by Somerset Street an aggregate distance of 175 feet more or less;  
NORTHERLY by the southerly sideline of the Suffolk County Court House an aggregate distance of 195 feet more or less;

EASTERLY by the easterly sideline of said Court  
House 14 feet more or less; and  
NORTHERLY by the face of the foundation wall of  
the building known as 3 Center Plaza  
and its garage, and said face line ex-  
tended an aggregate distance of 195  
feet more or less;

being premises shown on a plan drawn by Harry R. Feldman, Inc.  
dated April 18, 1969, entitled "Topographic Plan of Land,  
Boston, Massachusetts - Plan of Proposed Street Widening - One  
Beacon Street".

EXECUTED this 10<sup>th</sup> day of June, 1970, in the name and on  
the behalf of The Northern Assurance Company of America, The  
Employers' Fire Insurance Company, American Employers' Insur-  
ance Company and Employers Commercial Union Insurance Company  
of America, in each case thereunto duly authorized by vote of  
its Board of Directors.

THE NORTHERN ASSURANCE COMPANY  
OF AMERICA

By Frank J. Carey

THE EMPLOYERS' FIRE INSURANCE  
COMPANY

By Frank J. Carey

AMERICAN EMPLOYERS' INSURANCE  
COMPANY

By Frank J. Carey

EMPLOYERS COMMERCIAL UNION IN-  
SURANCE COMPANY OF AMERICA

By Frank J. Carey

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

June 10, 1970

On this 10<sup>th</sup> day of June, 1970, before me appeared Frank J. Carey, to me personally known, who, being by me duly sworn, did state that he was President of The Northern Assurance Company of America, The Employers' Fire Insurance Company, American Employers' Insurance Company and Employers Commerical Union Insurance Company of America and that the aforesaid Amendment No. 1 to the Application was signed on behalf of said corporations in each case by authority of its Board of Directors, and said Frank J. Carey acknowledged said Amendment No. 1 to the Application to be the free act and deed of each of said corporations.

Audrey J. Griswold  
Notary Public

My commission expires Jan. 9, 1971

EXHIBIT C

STATEMENT OF PERMISSIONS REQUIRED FOR DEVIATIONS  
FROM THE  
BOSTON ZONING CODE

1. Permit rear yard to be less than the requirements set forth in Article 20, which requirements specify a rear yard of 15½ feet along the property line adjacent to the Suffolk County Courthouse whereas at one point no such rear yard is provided.
2. Permit the parapet setback to be less than required by Article 21, in that said Article requires a 36½ feet parapet setback along Beacon Street and a 55 feet setback along the property line adjacent to the Suffolk County Courthouse and the parapet setback proposed is insufficient.

MEMORANDUM

June 18, 1970

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: JOHN D. WARNER  
SUBJECT: FIRST AMENDMENT TO THE REPORT AND DECISION ON 121A APPLICATION BY EMPLOYERS COMMERCIAL UNION INSURANCE COMPANY OF AMERICA

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On August 28, 1969, the Authority voted to adopt a Report and Decision on the 121A Application for Approval of the Employers Commercial Union Insurance Group. The project related to the construction of a home office building by the Employers Group on a parcel of land located at the corner of Tremont and Beacon Streets.

Following that approval, work on the parcel was commenced and the foundation work is now well advanced. The Applicants have now submitted to the Authority their Amendment No. 1 (see attached amended Application) which changes their original application in three respects:

1. It amends the names of the component companies of the Group so that they will conform to a merger effectuated on December 31, 1969.
2. It requests our approval of two deviations, for rear yard and parapet setbacks. These zoning deviations are minor in nature and do not relate to floor area ratio.
3. It amends the project area description to reflect the fact that the portion of old Pemberton Square between the old Courthouse and the Employers' building has now been abandoned as a public way.

In the opinion of the General Counsel, the amendment to the Application is minor and does not require a new public hearing.

Attached hereto is a draft of an Amendment to the Report and Decision on the 121A Application by the Employers' Group. It is recommended that the Authority approve this amendment so that this important project can continue to make progress.

Appropriate votes are attached.

Attachments